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H – 3721

International Court of Justice

H3721 - 0002

INTERNATIONAL MILITARY TRIBUNAL

I, ...DAVID PATRICK MAXWELL FYFE....., hereby certify that the document annexed hereto and numbered D. 645 ..... is an official British Governmental document,

DPNF

~~a report of the United Nations,~~

~~an act or document of a committee set up for the investigation of war crimes,~~

~~a record or finding of a Tribunal of the United Nations,~~

within the meaning of Article 21 of the Charter of the International Military Tribunal.

and a document made by a person in the employment of the British Government in the ordinary course of his duties, and that such person was in a position and under a duty to make all reasonable investigations relating to the subject matter thereof.

(signed) D. P. Maxwell Fyfe

(date) ..10th January, 1946.....

(strike out and initial all words not applicable).

946

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 203
Filed Jan 15, 1946

B 039252

D645.

AT EDINBURGH the Twenty first day of December Nineteen hundred and forty five in presence of William Brunton Robertson, Solicitor and Notary Public, Edinburgh

COMPEARED JAMES MACALISTER, 21 Adelphi Place, Portobello, who being solemnly sworn and interrogated DEPONES:-

I am 35 years of age.

I am at present employed as a Ships Rigger with John Dinwoodie, Granton, near Edinburgh. I have been a fisherman and a whaler practically all my days. In the month of July 1944 I was deckhand in the Steam Trawler "Noreen Mary" - a boat engaged in fishing on the west coast of Scotland and it follows from what I have said that I was engaged in a peacetime occupation just as I had been engaged in that occupation for many years before. I was not engaged in combating the enemy, although it is the case that the "Noreen Mary" carried - like all other fishing trawlers - a gun - in this case a "Savage Lewis". In addition there was one rifle on board for the purpose of exploding enemy mines which might happen to be in the Fairway; the vessel was not "wiped".

On the last fishing trip of the "Noreen Mary" (from Ayr to the fishing grounds off Butt of Lewis) there were ten of a crew - the skipper (John Flockhart), the mate (Alexander Barnett) second fisherman (Alexander Mackenzie) gutter (an Englishman whose name I forget) chief engineer (William Jackson) second engineer (William Pryde) fireman (George Gordon) trimmer(whose name I forget) cook (Charles Lindsay) and myself, a deck hand.

We had on board a catch of 325 boxes of fish.

We left Ayr at 14 hrs on 1st July 1944 proceeding independent :ly for the fishing grounds off the butt of Lewis. We started to trawl early onMonday morning 3rd July at which time there were two other trawlers present. We continued to fish in the same area, with other trawlers joining up, until by the 5th of July there were five other trawlers in our vicinity.

Nothing/ James MacAlister W B Robertson N.P.

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Nothing of incident occurred until 2010 hrs on the 5th July, when, whilst on watch I saw two torpedoes pass down on our port side. They were together between 6 and 8 feet apart, the nearest being about 10ft from the ship's side. Then I saw a conning tower dead astern only 120/130 yards away, so I ran on to the bridge and called all hands. The ship's head was swinging to the S.E. (i.e. to starboard) at this time.

By the time the crew arrived on deck the conning tower had submerged, and they would not believe that I had seen either the submarine or the torpedoes. In fact the Mate asked "What pub have you been in". We carried on fishing until 2030 hrs when we hauled in our trawl and shot it again at 2055 hrs. The Mate then asked another trawler "Starbank" if she had seen anything of a submarine, but she had not.

At 2110 hrs. while we were still trawling, the submarine surfaced on our starboard beam, about 50 yds to the N.E. of us, and without any warning immediately opened fire on the ship with a machine gun. We were 18 miles West from Cape Wrath, on a north-westerly course (approx.) making 3 knots. The weather was fine and clear, sunny, with good visibility; the sea was smooth, with light airs.

When the submarine surfaced I saw men climbing out of the conning tower. The Skipper thought at first the submarine was British, but when she opened fire he immediately slackened the brake to take the weight off gear, and increased to full speed which was about 10 knots. The submarine chased us, firing her machine gun, and with the first rounds killed 2 or 3 men, including the Skipper, who were on deck and had not had time to take cover. The submarine then started using a heavier gun from her conning tower, the first shot from which burst the boiler, enveloping everything in steam and stopping the ship.

By now the crew had taken cover, but in spite of this all but four were killed. The submarine then commenced to circle

round/

James MacAlister
W B Robertson

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round ahead of the vessel and passed down her port side with both guns firing continuously. We were listing slowly to port all the time but did not catch fire.

The Mate and I attempted to release the lifeboat, which was aft, but the Mate was killed whilst doing so, so I abandoned the attempt. I then went below into the pantry, which was below the waterline for shelter. The ship was listing more and more to port, until finally at 2210 she rolled right over and sank,and the only four men left alive on board were thrown into the sea. I do not know where the other three men had taken cover during this time, as I did not hear or see them until they were in the water.

I swam around until I came across the broken bow of our lifeboat, which was upside down, and managed to scramble on top of it. Even now the submarine did not submerge, but deliberately steamed in my direction and when only 60/70 yards away fired directly at me with a short burst from the machine gun. As their intention was quite obvious, I fell into the water and remained there until the submarine ceased firing and submerged, after which I climbed back on to the bottom of the boat. The submarine had been firing her guns for a full hour.

Shortly afterwards I saw the Second Engineer hanging on to a big pond board, and seeing the ship's ladder nearby, I pushed one end of it over to him. He grabbed it and I was able to pull him over to the damaged lifeboat and lay him over the top. He was very badly injured and became hysterical; he shook hands with me and said he was going to jump overboard, so the only thing I could do to prevent him doing so was hit him on the jaw to make him unconscious. After ten minutes he recovered, and was much quieter.

The Chief Engineer and an apprentice Trimmer were the other two men thrown clear of the ship, but I did not actually see them in the water. I heard them shouting for a time, but they/

James MacAlister.
W B Robertson W.

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they were not seen again.

The Second Engineer and I remained on the upturned lifeboat, and at daybreak I saw a trawler about half a mile away, and after asking the Second Engineer if he could shout, to which he answered "yes", I said "Well, if you've ever shouted in your life, shout now". We made as much noise as we could, and were heard by the crew of this trawler, which was H.M.T. "Lady Madeleine" who closed and lowered a boat and had us aboard about 0500/6. We searched the area, which was littered with wreckage for other survivors for about an hour, but did not see any sign of life.

Whilst on board the "Lady Madeleine" the Second Engineer and I had our wounds dressed; I learned later that the Second Engineer had 48 shrapnel wounds, also a piece of steel wire 2½" long embedded in his body. I think the shells must have been filled with this wire, as it definitely was not any part of the ship's equipment. I had 14 shrapnel wounds.

The submarine was the largest I have seen, and she had a large conning tower. She had two big guns, one on the after deck and the other on the fore part of the conning tower. There was what looked like an Oerlikon (it was bigger than a machine gun) on a stand on the fore deck, but I was not able to see how many men fired it. The paintwork looked fresh and there was no camouflage on deck. The hull was a lightish grey, and I saw a black Swastika, picked out in white on the fore part of the conning tower. Underneath the Swastika there was a "U" and underneath that "11"; this number, which was also seen by the trawlers "Starbank", "Colleague" and "W.H.Podd", was painted in white. I did not see a crest. There was a peculiar erection on the bows of the submarine, which looked to me something like a catapult. It was a heavy structure, but only 2 or 3 ft high.

I/ James MacAlister

W B Robertson W.

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I do not think it was part of a net cutter.

I saw two or three of the crew on the conning tower, and a man at the heavy gun, but did not notice their uniform. I would not be able to identify any of them, as I was contantly taking cover. Nobody on board the submarine spoke at any time.

I understand that the "Starbank" which was in our immediate vicinity when the submarine surfaced, immediately began trans-:mitting an S.O.S. message. The submarine evidently heard her doing so, and fired two shots in her direction, but they missed and she was able to get away. The other trawlers also cut their gear and steamed at full speed for Stornoway.

This is my fourth war-time experience, having served in the Whalers "Sylvester"(mined) and "New Seville" (torpedoed), and the Trawler "Ocean Tide", which ran ashore.

As a result of this attack by the U. Boat, the casualties were six killed - (the skipper, mate, one deckhand,second fisherman, cook and fireman) - two missing (chief engineer and trimmer) - two injured (second engineer and myself).

ALL WHICH IS TRUTH as the Deponent shall answer to God.

James McCallister.

W B Robertson
Notary Public. Edinburgh

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A F F I D A V I T

by

JAMES MACALISTER.

1945.

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D 645

NID 24/T 11/45

SECRET

THE SINKING OF THE "NORFIN MARY"

1. Extract from War Diary of U 247

2. Comment of Befehlshaber der Unterseeboote.

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INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 203
Filed Jan 15, 1946

B 039258

NID 24

26.6.45.

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NID 24/T 11/45 SECRET

The sinking of the "Noreen Mary"

This fishing vessel was sunk by U 247 (Commander - Oberleutnant zur See Matschulst) on July 5th, 1944, when the U-boat was on her first operational patrol.

The following is the entry in the Commander's War Diary reporting the action:

1. 5. 7.

1943 Fishing vessel----------(position)
Two-fan from tubes I and IV.
(Firing details)
Vessel turns away to starboard shortly after the shot and takes up a position of 180°.
The sea being as smooth as a mill-pond, she probably saw the tracks.

2055 AM 3683 (i.e. position on German Naval Grid) Surfaced.
Fishing Vessels: (Bearings given of 3 ships).
Engaged the nearest. She stops after three minutes.
T3a sinking shot fired from tube III at the "Noreen Mary" as she lay stopped.
(Particulars of range, angle, etc.)
A miss, misfired, did not clear.
Sunk by flak, with shots into her side.

2151 West of Cape Wrath Sank by the stern. ---

(3540)

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2. Comment of the Befehlshaber der Unterseeboote on the War Diary of U 247 (Matschulst) for the period 18.5 - 28.7.44.

The sinking by flak of the fishing vessel in this area testifies to great offensive spirit and verve. As regards the sinking shot on the fishing vessel as she lay stopped, I should say that relatively more misses are scored when firing sinking than attacking shots, as the enemy, when lying stopped, is usually still slightly moving. - Operations well carried out in difficult conditions.

Recognised Success: Fishing vessel "Noreen Mary" sunk by flak.

For the B.d.U.-
The Chief of Operational Division.

(Initials)

NID 24

26.6.45.

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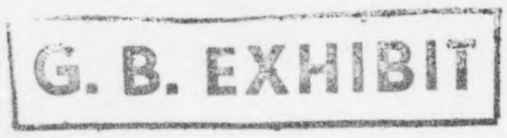

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